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September 11, 1997

VIA HAND DELIVERY

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W. - Room 222
Washington, D.C. 20554

Re: RM No. 9147

Dear Mr. Caton:

On behalf of the United States Satellite Broadcasting ("USSB"), we are filing an original and four (4) copies of its Reply Comments in the above cited matter.

If there are any questions, do not hesitate to contact the undersigned.

Respectfully submitted,

FLETCHER, HEALD & HILDRETH, PLC



Leonard Robert Raish
Of Counsel

LRR:cej
Enclosures

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Federal Communications Commission

WASHINGTON, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

In the Matter of)
)
Amendment of Parts 2.106 and 25.202)
of the Commission's Rules to Permit) RM No. 9147
Operation of NGSO FSS Systems)
Co-Frequency with GSO and)
Terrestrial Systems in the)
10.7-12.7 GHz, 12.75-13.25 GHz,)
13.75-14.5 GHz, and 17.3-17.8 GHz)
Bands, and to Establish Technical Rules)
Governing NGSO FSS Operations)
in these Bands)

**REPLY COMMENTS OF UNITED STATES
SATELLITE BROADCASTING COMPANY, INC.**

The United States Satellite Broadcasting Company, Inc. ("USSB"), through its attorneys, submits the Reply Comments below with regard to the Petition for Rulemaking ("Petition") filed by SkyBridge LLC ("SkyBridge") on July 3, 1997.

In its Comments, USSB stated it has two concerns with the SkyBridge proposal, namely (1) the absence of operational testing to assure the system described will not interfere with the Broadcasting-Satellite Service and (2) there are no apparent provisions for future growth of either the NGSO or Broadcasting-Satellite Services.¹ USSB also called attention to Resolution 506 appended to the ITU Radio Regulations pointing out the most prudent solution would be to delete the 12.2-12.7; GHz band from the SkyBridge proposal.

¹See USSB Comments, pages 2 and 3 and conclusion on page 4.

Of the Comments filed in this proceeding, USSB calls particular attention to those of DIRECTV and TEMPO Satellite Inc. DIRECTV concludes "To the extent that SkyBridge's request applies to DBS bands, DIRECTV urges the Petition be denied."² TEMPO Satellite, Inc. concludes "accordingly, the Commission should dismiss SkyBridge's Petition for Rulemaking insofar as it requests modification of the allotments for frequencies used in the DBS service."³ Since the conclusions of DIRECTV and TEMPO Satellite, Inc. parallel USSB's own conclusion that the 12.2-12.7 GHz band be deleted from the SkyBridge proposal, the views of both are strongly supported.

Attention is called also to the comment of Hughes Communications, Inc. (HCI) urging the Commission "not to proceed with a proposal for non-geostationary use of the spectrum that effectively provides an entry opportunity for only one company."⁴ USSB supports the view expressed by HCI that the Commission should not conduct a rulemaking of which only one company would be the beneficiary. The Commission itself has stressed the importance of competition in telecommunications many times.

USSB notes further, several commenters insist substantially more technical information should be provided before the Commission proceeds to a Rulemaking based on the SkyBridge Petition. The views of those commenters are significant and become even more so assuming the modifications to the SkyBridge proposal urged

²See DIRECTV comment page 10.

³See TEMPO Satellite Inc. comment page 12.

⁴See HCI comment pages 2 and 3.

by the Broadcasting-Satellites Service interests referenced above are adopted.

In conclusion, the Commission is urged to take the above Reply Comments into account as it considers the SkyBridge Petition.

Respectfully submitted,

UNITED STATES SATELLITE
BROADCASTING COMPANY, INC.

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Date: September 11, 1997

CERTIFICATE OF SERVICE

I, Chellestine Johnson, a secretary in the law firm of Fletcher, Heald & Hildreth, P.L.C., do hereby certify that copies of the foregoing Reply Comments were sent this 11th day of September, 1997, by first-class United States mail, postage prepaid, to:

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